

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

FULL CIRCLE UNITED, LLC,

Plaintiff,

v.

BAY TEK ENTERTAINMENT, INC.,

Defendant.

CASE NO. 1:20-cv-03395-BMC

BAY TEK ENTERTAINMENT, INC.,

Counterclaim Plaintiff,

v.

FULL CIRCLE UNITED, LLC,

Counterclaim Defendant,

and

ERIC PAVONY,

Additional Counterclaim Defendant.

DECLARATION OF MARK C. HUMPHREY

I, Mark C. Humphrey, hereby declare as follows:

1. I am an attorney-at-law, and a partner with the law firm of Mitchell Silberberg & Knupp LLP (“MSK”), counsel of record for Defendant and Counterclaim Plaintiff Bay Tek Entertainment, Inc. (“Bay Tek”) in this action. Since April 29, 2022, I have been admitted *pro hac vice* to practice before this Court in connection with this matter. I make this declaration of my own personal knowledge, and if called to testify as a witness in this matter could and would

testify competently thereto. I submit this declaration in support of Bay Tek Entertainment, Inc.’s Motion *in Limine* to Exclude Argument and Evidence to the Extent Offered to Re-litigate Issues Established as a Matter of Law (“Motion”).

2. Attached hereto as **Exhibit 1** is a true and correct copy of the proposed long-form agreement by and between Full Circle United, LLC and ESPN, Inc., along with the correspondence attaching the same, sent to counsel for Bay Tek on February 12, 2020.

I swear under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 28th day of February, 2025 at Los Angeles, California.

/s/ Mark C. Humphrey

Mark C. Humphrey